

1057

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Julio Armando INDA,

Defendant.

Magistrate Case No.:

'08 MJ 8328

COMPLAINT FOR VIOLATION OF

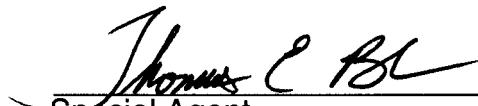
21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

On or about April 15, 2008, within the Southern District of California, defendant Julio Armando INDA did knowingly and intentionally import approximately 57.22 kilograms (125.88 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
Immigration and Customs
Enforcement

SWORN TO ME BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 16TH
DAY OF APRIL 2008.


Peter C Lewis
U.S. MAGISTRATE JUDGE

1 **UNITED STATES OF AMERICA**

2 **v.**

3 **Julio Armando INDA**

4 **STATEMENT OF FACTS**

5 This statement of facts is based on the reports, documents, and notes furnished
6 to US Immigration and Customs Enforcement Special Agent Behm.

7 On April 15, 2008, at approximately 0300 hours, Julio Armando INDA entered
8 the United States at the Calexico, California, West, Port of Entry. INDA was the driver,
9 registered owner, and sole occupant of a 1999 Chevrolet 1500 pickup.

10 At the primary lanes, INDA gave the primary inspector, Customs and Border
11 Protection Officer (CBPO) A. Moreno a negative oral customs declaration. The primary
12 inspector tapped the gas tank and noticed that it felt solid. The primary inspector
13 walked to vehicle off the primary lanes to the vehicle secondary lot.

14 In the secondary lot, a canine alerted to the presence of narcotic odor in INDA's
15 vehicle. CBPO C. Jones notified CBPO P. Farrier of the alert.

16 A subsequent inspection of the vehicle revealed several packages inside the gas
17 tank, dash board, and rear cab area. One of the packages was probed by CBPO
18 Farrier and a sample of a green leafy substance was obtained, which field tested
19 positive for marijuana. The packages had a combined net weight of approximately
20 57.22 kilograms (125.88 pounds).

21 INDA was placed under arrest and advised of his Miranda Rights, by Immigration
22 and Customs Enforcement Special Agent Behm which he acknowledged and waived.
23 INDA admitted knowledge of the marijuana in the vehicle. INDA stated that he was
24 given the marijuana and was going to sell it at a profit to repay the person he acquired
25 the marijuana from.
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